APPENDIX

EXHIBIT A

COMMONWEALTH OF KENTUCKY
COURT OF APPEALS

(81-CA-1671-MR)
82-SC-427-D

PATRICIA THOMPSON AND
EDDIE THOMPSON, JR.,
Appellants,

vs.

PEOPLES LIBERTY BANK
Appellee.

Kenton Circuit Court – No. 31053

AMENDED NOTICE OF APPEAL TO THE SUPREME COURT OF THE UNITED STATES

(Filed October 5, 1982)

Notice is hereby given that Patricia and Eddie Thompson Jr., Appellants above named, hereby appeal to the Supreme Court of the United States, from the Opinion and Order dismissing Appeal entered on March 19, 1982. Order denying Motion to Reconsider was entered on May 4, 1982. Discretionary Review denied on August 24, 1982.

This Appeal is taken pursuant to 28 U.S.C. 1257 (2).

/s/ EDDIE THOMPSON, Jr.
EDDIE THOMPSON, JR., Pro Se

P.O. Box 1221
Covington, Kentucky 41012
(606) 491-6278

/s/ PATRICIA THOMPSON
PATRICIA THOMPSON, Pro Se

P.O. Box 1221
Covington, Kentucky 41012
(606) 491-6278

C. C. Richard Nelson
Kenton Circuit Clerk, Ed. F. Schroder
Clerk Ky. Court of Appeals, John C. Scott
Clerk, Ky. Supreme Court, John C. Scott.

[CERTIFICATION OMITTED]

EXHIBIT A-1

KENTON CIRCUIT COURT

No. 31053
81-CA-1671-MR
82-SC-427-D

PATRICIA THOMPSON
and EDDIE THOMPSON, JR.,

Appellants-Defendants,

vs.

PEOPLES LIBERTY BANK,

Appellee-Plaintiff.

REQUEST TO CLERK TO CERTIFY AND TRANSMIT ENTIRE RECORD TO UNITED STATES SUPREME COURT

(Filed September 23, 1982)

TO: MR. ED. F. SCHROEDER, KENTON CIRCUIT CLERK

Pursuant to the provisions of Rule 13.1 of the Rules of the Supreme Court of the United States, you are requested to certify and transmit to the Supreme Court of the United States the entire record of the proceedings herein. This would include the record certified to the Court of Appeals

by E. Nienaber and the supplemental record certified to the Court of Appeals by E. Settles.

/s/ PATRICIA THOMPSON
PATRICIA THOMPSON, Pro Se

736 Highland Avenue
P.O. Box 1221
Covington, Kentucky 41012
(606) 491-6278

/s/ EDDIE THOMPSON, JR.
EDDIE THOMPSON, JR., Pro Se

736 Highland Avenue
P.O. Box 1221
Covington, Kentucky 41012
(606) 491-6278

[CERTIFICATION OMITTED]

EXHIBIT B

SUPREME COURT OF KENTUCKY

82-SC-427-D
(81-CA-1671-MR)

PATRICIA THOMPSON
and EDDIE THOMPSON, JR.,
Movants,

vs.

PEOPLES LIBERTY BANK,
Respondent.

Kenton Circuit Court – No. 31053

ORDER DENYING MOTION FOR DISCRETIONARY REVIEW

The motion of Patricia Thompson and Eddie Thompson, Jr. for a review of the decision of the Court of Appeals is denied.

O'Hara, J., not sitting.

ENTERED August 24, 1982.

/s/ JOHN S. PALMORE
Chief Justice

EXHIBIT C

COMMONWEALTH OF KENTUCKY
COURT OF APPEALS

No. 81-CA-1671-MR

PATRICIA THOMPSON
and EDDIE THOMPSON, JR.,

Appellants,

vs.

PEOPLES LIBERTY BANK,

Appellee.

Appeal From Kenton Circuit Court
No. 31053

ORDER DENYING MOTION TO RECONSIDER

BEFORE: WHITE, LESTER, and WILHOIT

Having considered the appellant's motion to reconsider our order of March 19, 1982, the Court ORDERS that the motion to reconsider be, and it is hereby, DENIED.

ENTERED: 5-4-82.

/s/ JOHN D. WHITE
JUDGE, COURT OF APPEALS

EXHIBIT D

OPINION RENDERED: March 19, 1982; 2:00 p.m.
Not to be published

COMMONWEALTH OF KENTUCKY
COURT OF APPEALS

No. 81-CA-1671-MR

PATRICIA THOMPSON
and EDDIE THOMPSON, JR.,
Appellants,

vs.

PEOPLES LIBERTY BANK,
Appellee.

Appeal From Kenton Circuit Court
Honorable Daniel J. Goodenough, Judge
Action No. 31053

OPINION AND ORDER DISMISSING APPEAL

BEFORE: WHITE, LESTER and WILHOIT, Judges.
WHITE, JUDGE. This appeal arises from the entry of an Order of the Kenton Circuit Court on June 17, 1981, denying relief to appellants, who sought to set aside a mortgage foreclosure sale (April 21, 1977), the Order confirming the sale (June 27, 1977), and to cancel the deeds to the purchaser and the Writs of Possession entered thereafter.

Unfortunately, the case for the appellants throughout the trial in the Circuit Court and now on appeal has been practiced *pro se*. Not only is there considerable confusion injected into what steps were really taken and the relief sought by appellants at the various stages of this litigation, but procedurally it has resulted in a situation in which the appellants have closed doors that might have been open to them at one time by pursuing strategy that was at the time inappropriate.

In the first place, no steps were taken by appellants immediately following the Judgment and sale to set it aside or to appeal at that time. It was not until an Order for a Writ of Possession was filed and sought to be executed by the purchaser at the judicial sale that appellants moved to quash the Writ and, being overruled, appealed that ruling. That appeal resulted in affirming the trial court's Order.

On March 8, 1978, the appellants filed a CR 60.02 motion to vacate and set aside the Order confirming the final report of the Commissioner on July 18, 1977, and the Order granting Writ of Possession on October 19, 1977. No attack was filed against the Judgment and Order of sale, and when these motions were overruled on March 28, 1978, no appeal was taken, assuming *arguendo* that one might have been proper.

Then in 1980 the appellants attempted to gain in the Federal District Court of the Eastern District of Kentucky some desired relief respecting this property. Though reference is made to such action in this record, there is no evidence of resulting benefit obtained; since this appeal is being prosecuted we must assume the Federal relief was not favorably granted.

Finally, on May 1, 1981, appellants again sought to assert a CR 60.02 motion (although it is not designated

as such): (a) to set aside the mortgage foreclosure sale, (b) to set aside the Order confirming sale, (c) to cancel deeds made pursuant thereto, and (d) to set aside the Writs of Possession entered thereafter. In support of such, the motion asserts 43 statements of purported law and facts to justify relief. On June 17, 1981, the trial court denied the motions "because these motions have been previously ruled on by the Court and denied, and the Court does not have jurisdiction of the matter." Hence this appeal.

Although we recognize the extent to which the appellants must have labored in an attempt to present their case to this Court, the unfortunate result is that the brief is devoid of anything of legal relevance. From their personal involvement in the case, appellants may know what issues have been raised for our review; however, nothing in their brief serves to enlighten us on these matters.

In order to preserve accessibility to the courts of this Commonwealth, those proceeding *pro se* have been given significant latitude and have not been required to conform to the exacting standards mandated for those whose education and practice have trained them for the legal profession.

Nevertheless, such latitude has limits. The Court is not to be charged with appellants' responsibility to present and develop the issues in a reasonably coherent manner. Without such presentation there can be nothing to review, and we are resigned to do no more than to strike the brief and dismiss the appeal. CR 76.12 (8) (a), 76.34 (6) (a).

The appellants have filed a motion, subsequent to appeal, to correct and/or modify the record. We have reviewed this motion together with the affidavit attached and, being sufficiently advised, it is ORDERED that the motion be, and it is hereby, DENIED.

For the foregoing reasons the Court ORDERS that this appeal be, and it is hereby, DISMISSED.

ALL CONCUR.

/s/ JOHN D. WHITE
JUDGE, COURT OF APPEALS

ENTERED: March 19, 1982

ATTORNEYS FOR APPELLANTS:

Patricia Thompson and
Eddie Thompson, Jr., *Pro Se*
736 Highland Avenue
P.O. Box 1221
Covington, Kentucky 41011

ATTORNEY FOR APPELLEE:

Richard S. Nelson
11 West Sixth Street
P.O. Box 1209
Covington, Kentucky 41011

EXHIBIT E

COMMONWEALTH OF KENTUCKY
COURT OF APPEALS

NO. 81-CA-1671-MR

PATRICIA THOMPSON
and EDDIE THOMPSON, JR.,
Appellants,

vs.

PEOPLES LIBERTY BANK,
Appellee.

Appeal From Kenton Circuit Court
Action No. 31053

ORDER

It appearing that the appellant has proceeded pro se, the Court hereby ORDERS that no oral argument be scheduled in the above-styled appeal.

ENTERED: 1-13-82

/s/JOHN P. HAYES
CHIEF JUDGE, COURT OF APPEALS

EXHIBIT F

COMMONWEALTH OF KENTUCKY
COURT OF APPEALS

NO. 81-CA-1671-MR

PATRICIA THOMPSON
EDDIE THOMPSON, JR.

Appellants,

v.

PEOPLES LIBERTY BANK,

Appellee.

Appeal From Kenton Circuit Court
Action No. 31053

ORDER

Before: HAYES, CHIEF JUDGE, HOWERTON and McDONALD, JUDGES.

The Court, having considered appellee's motion to reconsider this Court's October 12, 1981 order denying motion to dismiss, having further considered appellants' response thereto, and being otherwise sufficiently advised, ORDERS that said motion be, and it hereby is, DENIED.

ENTERED: December 1, 1981

/s/J. W. HOWERTON
JUDGE, COURT OF APPEALS

EXHIBIT G

COMMONWEALTH OF KENTUCKY
COURT OF APPEALS

NO. 81-CA-1671-MR

PATRICIA THOMPSON
and EDDIE THOMPSON, JR.,
Appellants,

v.

PEOPLES LIBERTY BANK,
Appellee.

Appeal From Kenton Circuit Court
No. 31053

ORDER

BEFORE: HAYES, CHIEF JUDGE, HOWERTON AND MCDONALD, JUDGES.

The Court, having considered appellee's motion to dismiss and the response thereto, and being otherwise sufficiently advised, ORDERS that said motion be, and it hereby is, DENIED. Appellee's brief is due on or before the 23rd day following the date of entry hereof.

Having considered appellants' motions to advance and for leave to orally argue this appeal, and being otherwise sufficiently advised, ORDERS that said motions be, and they hereby are, DENIED.

ENTERED: October 12, 1981

/s/J. W. HOWERTON
JUDGE, COURT OF APPEALS

EXHIBIT H

KENTON CIRCUIT COURT
THIRD DIVISION

NO. 31053

THE PEOPLES LIBERTY BANK,

Plaintiff,

vs.

PATRICIA THOMPSON and
EDDIE THOMPSON, JR.,

Defendants.

ORDER

(Filed June 17, 1981)

The instant action is before the court on defendants' Motion to Set Aside (a) Mortgage Foreclosure Sale, (b) Order Confirming Sale (c) Cancel Deeds Made Pursuant thereto; (d) Writs of Possession Entered Thereafter (signed in October 1977 and April 1978, respectively).

Defendants Patricia and Eddie Thompson, Jr. present pro se; Mr. Richard Nelson, attorney for Peoples Liberty Bank, present.

The Court having reviewed the authorities cited by defendants and otherwise being sufficiently advised:

IT IS ORDERED AND ADJUDGED that the Motion/s of defendants is hereby denied because these matters have been previously ruled on by the Court and denied, and the Court does not have jurisdiction of the matter.

This is the 17 day of June 1981.

/s/D. L. GOODENOUGH
JUDGE, KENTON CIRCUIT
COURT, THIRD DIVISION

cc: Patricia & Eddie Thompson, Jr.
Mr. Richard Nelson
Mr. Steve Beshear

EXHIBIT I

AOC-79-075
Commonwealth of Kentucky
Court of Justice
CR 75-07 (5)

KENTON COUNTY
CIRCUIT COURT

Case No. 31053

THE PEOPLES LIBERTY BANK
& TRUST CO.,

Plaintiff,

v.

EDDIE THOMPSON JR. et al.,

Defendant.

NOTICE OF CERTIFICATION OF RECORD ON APPEAL

(Dated August 21, 1981)

This is to notify you that the record on appeal in the above-captioned proceeding has today been completed and certified in accordance with CR 75.07 and will be transmitted to the clerk of the appellate court when so requested by him pursuant to CR 79.06 (7).

Copies of this notification have been served upon all parties to the appeal, and such service has today been noted on the docket pursuant to CR 75.07 (5).

The name or names of counsel for the appellant (s) are as follows: Eddie Thompson, Jr.-Pro Se

Date: August 21, 1981

ED F. SCHROEDER, Clerk
by /s/ E. Nienaber, D.C.

Copies to: [Attorneys for Plaintiff] Richard S. Nelson
[Attorneys for Defendant] Eddie Thompson, Jr. Pro Se
[Clerk, Appellate Court] John C. Scott

EXHIBIT J

NOTICE OF CERTIFICATION OF RECORD ON APPEAL

KENTON COUNTY CIRCUIT COURT

Case No. 31053

THE PEOPLES LIBERTY BANK & TRUST CO.,

vs.

EDDIE THOMPSON, JR., ET. AL

CERTIFICATION OF COURT RECORDS

I, ED SCHROEDER Clerk of the CIRCUIT Court, do certify that the following are true and correct copy (s) of the CERTIFICATION OF A CERTIFICATION OF COURT RECORDS as recorded in the Office of the Circuit Clerk of KENTON County.

In TESTIMONY WHEREOF witness my hand as Clerk aforesaid, this the 21st day of September, 1982

ED SCHROEDER
Clerk

By: /s/M. PARTON D.C.

COMMONWEALTH OF KENTUCKY)
) SS
COUNTY OF KENTON)

I, Ed F. Schroeder, Clerk of the Kenton Circuit Court do hereby certify that the foregoing Sixty-one (61) pages contains a true and complete transcript of the Clerk's record had in my said court in the case of THE PEOPLES LIBERTY BANK AND TRUST CO. vs. EDDIE THOMPSON, JR. ET AL, as the same is of record and on file in my office and pursuant to the Designation of defendant filed therein.

Witness my hand as Clerk of said Court this 21st day of August, 1981.

ED F. SCHROEDER, CLERK
BY: /s/ E. NIENABER D.C.

AOC-79-060
Rev. 9-79
Commonwealth of Kentucky
Court of Justice

EXHIBIT L

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF KENTUCKY
COVINGTON

CIVIL ACTION 79-40

EDDIE THOMPSON, JR., ET AL,
Plaintiffs,

vs.

PEOPLES LIBERTY BANK, ET AL,
Defendants.

ANSWERS TO INTERROGATORIES

Comes now Defendant, Bernard Smith, and submits the following Answers to Interrogatories:

1. Did you lease 736 Highland Avenue, Covington, Kentucky, on or about July 17, 1978.
   answer – Yes.
2. If so, from whom.
   answer – People's Liberty Bank.
3. Were you at the 736 Highland Avenue, Covington, Kentucky address on July 17, 1978, or at any other time.
   answer – Yes.
4. It is alleged that you leased 736 Highland Avenue for $200 per month. Did you.
   answer – Yes.
5. If not, do you know if anyone else leased 736 High-

land Avenue for $200 per month.
answer – Not applicable.

6. It is alleged that you paid police officers $5 an hour to occupy 736 Highland Avenue from July 17, 1978 to some later date. Did you.
answer – No.

7. If not, do you know if any police officers were paid to stay at 736 Highland Avenue.
answer – Yes.

8. Who contacted you and/or other police officers to lease and/or stay at 736 Highland Avenue.
answer – Richard S. Nelson, Attorney for People's Liberty Bank.

9. Give the names of all police officers hired to stay at 736 Highland Avenue.
answer – R. Sterling, J. Liles, J. Gross, E. Schadler, R. Ford, B. Smith, and T. Finan.

10. If you do not know, give the names of those who would know.
answer – Not applicable.

/s/RICHARD S. NELSON
RICHARD S. NELSON

ATTORNEY FOR
DEFENDANT,
BERNARD SMITH

P.O. Box 1209
11 West Sixth Street
Covington, Kentucky 41012

[Certificate of Service Omitted]

I, Bernard Smith, state that I have read the foregoing Answers to Interrogatories and same are true and correct.

/s/BERNARD SMITH
BERNARD SMITH

[Jurat Omitted]

EXHIBIT M

LAW OFFICES OF
RICHARD S. NELSON

JONATHAN A. MASON
Associate

11 West Sixth Street
COVINGTON, KENTUCKY 41011
TELEPHONE 606/291-1511

October 11, 1976

Mr. Eddie Thompson, Jr.
736 Highland Avenue
Covington, Kentucky 41011

Re: Peoples Liberty Bank & Trust Company
vs. Eddie Thompson, et al

Dear Mr. Thompson:

Reference is made to the suit filed against you by my client, The Peoples Liberty Bank and Trust Company.

On October 7th you forwarded to my client two money orders totaling $450.00 with a notation indicating that "These money orders are to pay three months mortgage (July, August and September)". The bank is perfectly willing to accept payments by you but the bank will define, pursuant to the terms of it's mortgage and promissory note, how those payments are to be applied.

I am returning your two money orders. If you desire to forward same to the bank and allow them to apply them as they desire, they will be accepted.

Very truly yours,

/s/RICHARD S. NELSON
RICHARD S. NELSON

RSN/1st
Enclosures

EXHIBIT N

KENTON CIRCUIT COURT
THIRD DIVISION

NO. 31053

THE PEOPLES LIBERTY BANK
AND TRUST COMPANY,

Plaintiff,

vs.

EDDIE THOMPSON, JR., ET AL.,

Defendants.

WRIT AND ORDER OF POSSESSION

(Filed July 7, 1978)

TO THE SHERIFF OF KENTON COUNTY:

You are, in the name of the Commonwealth of Kentucky, commanded that you put the plaintiff, The Peoples Liberty Bank and Trust Company, of Covington, Kentucky, in possession of the following premises; forthwith and make return to this Court within ten (10) days verifying compliance with this Order:

Commonly known as 736 Highland Avenue, Covington, Kentucky, and being more particularly described as follows:

Known as Lot No. 2 of Deye's Subdivision in Kenton County, Kentucky, and described as follows:

Beginning at the common corner of Lots 1 and 2 of Block "A" of Deye's Subdivision 40.58 feet east of the

east line of the alley 6 feet in width the center line of which is the dividing line between Lot No. 1 and Louis Trenkamp; thence eastwardly along the north line of Highland Avenue 40.59 feet to the common corner of Lots 2 and 3 of said subdivision; thence northwardly along the dividing line between Lots, 146 feet to the south line of an alley 16 feet in width the corner of said Lots 2 and 3; thence westwardly along the south line of said alley 40.82 feet to the corner of Lots 2 and 1; thence south along the division line of said Lots 147.35 feet to the beginning, being Lot 2 of said subdivision.

Also an easement in and to the north 15 feet of that part of said Avenue immediately in front of said Lot 2, and the south half of that part of said alley immediately in the rear of said Lot 2.

DATED at Covington, Kenton County, Kentucky, this 12 day of April, 1978.

/s/D. J. GOODENOUGH,
JUDGE

[Certification Omitted]

EXHIBIT O

KENTON CIRCUIT COURT
THIRD DIVISION

NO. 31053

THE PEOPLES LIBERTY BANK
AND TRUST COMPANY,

Plaintiff,

vs.

EDDIE THOMPSON, JR., et al,

Defendants.

AFFIDAVIT

(Filed July 20, 1978)

Comes now Richard S. Nelson, attorney for the plaintiff herein, and being first duly cautioned and sworn, states as follows:

1. The Writ and Order of Possession issued in this matter pursuant to Order of the Court dated July 6, 1978 was not immediately signed by the Judge of the Kenton Circuit Court at the specific request of counsel for the plaintiff. The reason for this was to allow the Kenton County Sheriff to make necessary arrangements to execute the Writ and Order of Possession and since the Sheriff is under a ten (10) day deadline by statutes, counsel desired not to obtain the signature of the Judge and file the Writ and Order of Possession until July 12, 1978.

2. The date of the Writ and Order of Possession as shown thereon at the bottom of April 12, 1978 is in fact

July 12, 1978 and the month of "April" was inadvertently inserted by counsel for the plaintiff.

3. The filing date in the office of the Kenton Circuit Court also was on July 12, 1978 and the Writ and Order of Possession was delivered to the Kenton County Sheriff on or about that date for execution.

The foregoing and within Affidavit is made by counsel in order to establish the true and accurate sequence of events and to correct the obvious chronological dates inaccurately and inadvertently contained in the Writ and Order of Possession at the end thereof and on it's time stamp.

/s/RICHARD S. NELSON
RICHARD S. NELSON

Attorney for Plaintiff

[Jurat Omitted]

[CERTIFICATION OMITTED]

EXHIBIT P

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF KENTUCKY
COVINGTON

CASE NO: COV. CIVIL 78-05; 78-57; 78-70; 79-40

EDDIE THOMPSON, JR.,

Plaintiff,

v.

JUNE HENDRICK, et al.,
RICHARD NELSON, RICHARD SLUKICH,
PEOPLE'S LIBERTY BANK, et al.,

Defendants.

PRE-TRIAL CONFERENCE

September 10, 1980

BEFORE THE HONORABLE
WILLIAM O. BERTELSMAN,
JUDGE OF THE DISTRICT

FOR THE PLAINTIFF:

EDDIE THOMPSON, JR., PRO SE
736 Highland Avenue
Covington, Kentucky 41011

FOR THE DEFENDANTS:

RODNEY S. BRYSON, Esq.
Attorney at Law
First National Bank Building
Covington, Kentucky
(For) Richard Nelson

RICHARD NELSON, Esq.
Attorney at Law
P.O. Box 1209
Covington, Kentucky 41012

I wrote a letter on behalf of the Bank to Mr. Thompson, which he has contended is threatening and so forth.

I'd like to read the letter, because it's another notice. (Reading) "Dear Mr. and Mrs. Thompson, In view of the attitude you have displayed in the past, I really wonder why I'm even taking the time to write this letter. Perhaps, it is out compassion that you do not continue to incur additional expenses. As you know, the writ of possession issued by the Court is now a final order. . . ."

And I continued all the way through and said to him. . . . "We can proceed in the same manner again . . . ." when he was put out. . . . "And have a moving company just move you out of the house, while my clients take possession, or if you desire, you may vacate the premises now and we will enter without an intervention of the Sheriff or a moving company. The choice is yours.

"If I do not hear from you inviting within ten days of the date of this letter, indicating that you intend to voluntarily vacate the premises, in compliance with the writ of possession and that you will vacate the same within an

additional ten days, we intend to proceed without further notice, as such is not required."

That's the letter and he has attached it as an exhibit to many of his pleadings . . . .

• • •

At that point I advised my client that in view of the fact Mr. Thompson had moved back in the last time, there was every reason to believe that he would do the same thing this time.

The Bank was the owner of the property and had a right, I believed, to protect its property from unwarranted trespassing.

We hired at a rate of $5.00 per hour off-duty Covington police officers to occupy the Bank's premises, in order to avoid his moving back in. This was successful because he did not move back in. He was not arrested by those officers. They just remained in there. Some were also working, so when they would go off duty as police officers, they would come to the house and then we would pay them while they were off duty.

But at other times during the day they were actually working. They occupied the house. In fact, one, I believe had his wife and children with him for awhile. But that was the Bank's house at that time.

The Bank was contacted by Mr. Slukich, who is an attorney here in Covington, indicating he desired to purchase the Thompson residence.

I had nothing to do with the negotiations for that. Apparently, arrangements were made for Mr. Slukich to purchase it.

The Bank was to deed the property to him, and he signed a note, and a mortgage was taken upon the property. I prepared the deed as the scrivener, because it's

the obligation of the seller in Kentucky to prepare the deed to the property, and the seller was People's Liberty Bank.

I had prepared the deed. The deed was signed on July 27th, 1978.

Since the Bank also took a mortgage on the property, I took the deed and the mortgage to the Clerk's Office to insure that they were properly recorded in sequence and that they would both be mailed back to me, which is customary procedure, and to insure that they were sequentially recorded in the proper order.

Mr. Thompson mentioned about a warranty and, Judge, I do not know — the warranty — if the form warranty statement is on the original of the mortgage.

The only thing that was changed at the bottom is a pro-ration of taxes for the year 1978. Why it's not in the photocopy, I don't know.

As soon as the transfer took place, the deed was recorded. I contacted the police officers — off duty police offiicer — who were our employees protecting our home, and advised them we no longer owned the home and that they are to leave.

It's my understanding that they left. That ended the actual foreclosure proceedings all the way through. . . .

EXHIBIT Q

KENTON CIRCUIT COURT
THIRD DIVISION

No. 31053

THE PEOPLES LIBERTY BANK
AND TRUST COMPANY

Plaintiff,

vs.

PATRICIA THOMPSON
and EDDIE THOMPSON, JR,.

Defendants.

ORDER

(Filed April 18, 1978)

The defendants herein having filed (1) "Motion for Relief from Order Confirming the Final Report of the Master Commissioner", and (2) "Motion for Relief from Order Granting Writ of Possession", and (3) "Motion for Leave to File Copy of Appraisal Report", said motions having been filed with the Clerk of this Court on March 28, 1978 and duly served upon counsel for the plaintiff herein on the same date, said motions not having specified a hearing date, the motions came on for hearing at the next regular call of the Motion Docket of this Court on April 17, 1978 at 9:30 a.m., counsel for the plaintiff being present, no one having appeared for the defendants herein;

The Court notes that as to the various motions filed by the defendants, no affidavit was filed in support of said motions by the defendants;

The Court having reviewed the authorities cited by the defendants and being otherwise sufficiently advised;

NOW, THEREFORE, IT IS ORDERED AND ADJUDGED that each of said motions of the defendants be and they are hereby overruled.

DATED at Covington, Kenton County, Kentucky, this 18 day of April, 1978.

/s/ D. J. GOODENOUGH
Judge, Kenton Circuit Court
Third Division

[CERTIFICATION OMITTED]

EXHIBIT R

KENTON CIRCUIT COURT
THIRD DIVISION

No. 31053

PEOPLES LIBERTY BANK & TRUST COMPANY
Plaintiff,

vs.

EDDIE THOMPSON, JR., Etc., et al.,
Defendant.

APPRAISEMENT

We, the undersigned, disinterested housekeepers of Kenton County, not related to any party to this action, having been duly appointed by WILLIAM J. DEUPREE JR., Master Commissioner of the Kenton Circuit Court, to value the hereinafter described property adjudged to be sold, do value it as follows:

Known as Lot No. 2 of Deye's Subdivision in Kenton County, Kentucky, and described as follows:

Beginning at the common corner of Lots 1 and 2 of Block "A" of Deye's Subdivision 40.58 feet east of the east line of the alley 6 feet in width the center line of which is the dividing line between Lot No. 1 and Louis Trenkamp; thence eastwardly along the north line of Highland Avenue 40.59 feet to the common corner of Lots 2 and 3 of said subdivision; thence northwardly along the dividing line between Lots, 146 feet to the south line of an alley 16 feet in width the corner of said Lots 2 and 3; thence westwardly

along the south line of said alley 40.82 feet to the corner of Lots 2 and 1; thence south along the division line of said Lots 147.35 feet to the beginning, being Lot 2 of said subdivision.

Also an easement in and to the north 25 feet of that part of said Avenue immediately in front of said Lot 2, and the south half of that part of said alley immediately in the rear of said Lot 2.

Commonly known as 734-736 Highland Avenue, Covington, Kentucky.

The improvements thereon consist of a modern 1-Family Brick Dwelling.

The undersigned appraisers were unable to gain entrance into this property and this appraisal is a result of an outside inspection.

After giving careful consideration to all information, it is our opinion, to the best of our knowledge and belief, that the value of the property herein described is $16,000.00 as of June 2, 1977.

/s/ W. JOSEPH KENNEDY

/s/ WILLIAM C. BEUTTEL

Subscribed and sworn to before me by W. Joseph Kennedy and Wm. C. Beuttel this 2nd day of June, 1977.

/s/ WILLIAM J. DEUPREE, JR.
Master Commissioner

EXHIBIT S

OPINION RENDERED: May 2, 1980

Not to be published

COMMONWEALTH OF KENTUCKY
COURT OF APPEALS

No. 79-CA-1456-MR

PATRICIA THOMPSON and
EDDIE THOMPSON, JR.

Appellants,

vs.

PEOPLES LIBERTY BANK

Appellee.

Appeal From Kenton Circuit Court
Honorable William R. Dunn, Judge
Action No. 33430

AFFIRMING

---

* * *

BEFORE: HAYES, Chief Judge, BREETZ and WILHOIT, Judges.

HAYES, CHIEF JUDGE. Eddie Thompson, Jr. and Patricia Thompson appeal from an order and judgment of the Kenton Circuit Court dismissing a forcible detainer proceeding and the appeal therefrom. The Peoples Liberty

Bank and Trust Company of Covington, Kentucky, filed the complaint for forcible detainer in Kenton Quarterly Court in September, 1977. The quarterly court rendered judgment for the bank on September 26, 1977 and ordered that a writ of restitution issue. The writ of restitution was never executed. The Thompsons appealed the quarterly court judgment to Kenton Circuit Court on September 28, 1977. No action was taken by either party to the proceeding until March 5, 1979 when the bank moved to dismiss the case as being moot on the grounds that the bank had obtained the property pursuant to another Kenton Circuit Court action and had conveyed same in July, 1978. The Thompsons filed a motion for a trial date on March 9, 1979. On March 13, 1979 the circuit court entered a judgment dismissing the case with prejudice as being moot. From this judgment the Thompsons appeal.

The Thompsons have proceeded pro se in these proceedings and apparently in the several actions in the various Kenton courts, obviously a substantial contributing factor to the Thompsons' confusion and lack of understanding concerning this proceeding. Apparently the Thompsons no longer have the property in question and ask this court to order the circuit court to put them in possession of such property. However, the simple fact is, that the property was not taken from them as a result of this case, but such was accomplished in a separate circuit court action. The Thompsons are attempting to attack a judgment over which this court has no jurisdiction. The circuit court ordered the action dismissed explaining to the Thompsons in a hearing that that was the most relief which it could grant, i.e. the bank's forcible detainer proceeding would be dismissed with prejudice. Since the Thompsons had not been relieved of their property as a result of the forcible detainer proceeding but rather had been so relieved as a result of

a circuit court proceeding, the dismissal of the forcible detainer proceeding could not result in the Thompsons being placed in possession of the property in question. The circuit court was not in error in dismissing the proceedings with prejudice. It is the bank not the Thompsons, as they perceive, who are prejudiced with respect to the proceedings.

Since we have no jurisdiction over federal courts, we will not comment on the issue raised pertaining thereto.

The judgment is affirmed.

ALL CONCUR.

ATTORNEYS FOR APPELLANTS:
Patricia Thompson
Eddie Thompson, Jr., Pro Se
736 Highland Avenue
Covington, Kentucky 41011

ATTORNEY FOR APPELLEE:
Richard Nelson
11 West 6th Street
Covington, Kentucky 41011

EXHIBIT T

COMMONWEALTH OF KENTUCKY
COURT OF APPEALS

No. 79-CA-1456-MR

PJATRICIA THOMPSON and
EDDIE THOMPSON, JR.

Appelants,

vs.

PEOPLES LIBERTY BANK,

Appellee.

Appeal From Kenton Circuit Court
Action No. 33430

• • •

ORDER

---

(1) DENYING MOTION TO DISMISS

(2) DENYING MOTION TO FILE LATE RESPONSE AS MOOT

BEFORE: HOWERTON, REYNOLDS, AND WHITE, JUDGES.

The appellee has moved to dismiss the above-styled appeal upon the ground that the appeal is frivolous. It appearing to the Court that a disposition of the motion

requires a consideration of the merits of the appeal, the motion to dismiss is DENIED. Inasmuch as the motion to dismiss has been denied, the appellants' motion for leave to file a late response to the motion to dismiss is DENIED as being moot.

ENTERED: January 18, 1980

/s/ J. W. HOWERTON
Judge, Court of Appeals

EXHIBIT U

COMMONWEALTH OF KENTUCKY
16th Judicial District

KENTON CIRCUIT COURT
First Division

INDICTMENT No. 17932

COMMONWEALTH OF KENTUCKY

vs.

EDDIE THOMPSON

THE GRAND JURY OF KENTON COUNTY CHARGES:

Eddie Thompson

WITH COMMISSION OF THE OFFENSE OF THEFT BY DECEPTION

on the 14th day of April, 1976, in Kenton County, Ken-

tucky, by obtaining $150 from another person by creating the false impression that he was selling to the other person, Heroin, a Schedule I, Narcotic, controlled substance, when, in fact, said substance was not Heroin,

A Class D Felony, in violation of K.R.S. 514.040 (1) (a) and against the peace and dignity of the Commonwealth of Kentucky.

A TRUE BILL

/s/ MALVIN L. COBB
Foreman

I, Frank Trusty, II, Commonwealth's Attorney, 16th Judicial District, do hereby certify that a copy of the foregoing indictment was personally handed to the defendant (s) by me on .....

/s/ FRANK TRUSTY, II
Commonwealth's Attorney
16th Judicial District

Witnesses:

Jim Mercer

EXHIBIT V

KENTON CIRCUIT COURT
THIRD DIVISION

No. 31053

THE PEOPLES LIBERTY BANK
AND TRUST COMPANY,

Plaintiff,

vs.

EDDIE THOMPSON, JR., et al.,

Defendants.

ORDER OF DISTRIBUTION

(Filed June 27, 1977)

It now appearing to the Court that the Report of Sale herein has been confirmed, that the purchaser has paid the total purchase price plus interest and it now being necessary to disburse that money and the Court being otherwise sufficiently advised:

IT IS NOW THEREFORE ORDERED AND ADJUDGED that the Master Commissioner shall pay from said sum paid by the purchaser the court costs incurred herein in the amount of $661.58; he shall then pay to the City of Covington, Kentucky the sum of $484.39 in payment of delinquent real estate taxes, penalty and interest; he shall then pay to A. T. Wood, Clerk, in the sum of

$91.81 in payment of delinquent 1975 taxes, including penalty and interest; he shall then pay the sum of $7,309.62 to The Peoples Liberty Bank and Trust Company in full payment of its judgment against the real estate situated on Highland Avenue in Covington, Kentucky as rendered in this case.

IT IS FURTHER ORDERED that the balance remaining in the sum of $5,952.60 shall be paid unto Eddie Thompson, Jr. and Patricia Ann Thompson, husband and wife. The aforesaid payments will consume all of the money in the presence of the Master Commissioner in this case.

/s/ D. J. GOODENOUGH
Judge, Kenton Circuit Court

EXHIBIT W

AOC-79-060
Rev. 9-79
Commonwealth of Kentucky
Court of Justice

KENTON COUNTY CIRCUIT COURT

No. 31053

THE PEOPLES LIBERTY BANK & TRUST CO.

vs.

EDDIE THOMPSON, JR., ET. AL.

CERTIFICATION OF COURT RECORDS

I, Ed Schroeder, Clerk of the Circuit Court, do certify that the following are true and correct copy (s) of the CERTIFICATION OF A CERTIFICATION OF COURT RECORDS as recorded in the Office of the Circuit Clerk of Kenton County.

IN TESTIMONY WHEREOF witness my hand as Clerk aforesaid, this the 21st day of September, 1982.

ED SCHROEDER
Clerk

BY: M. PARTIN D.C.

COMMONWEALTH OF KENTUCKY)
) SS
COUNTY OF KENTON)

I, Ed F. Schroeder, Clerk of the Kenton Circuit Court, certify that the foregoing Fifty-nine (59) pages contains a full, entire and complete Transcript of the Supplemental Record had in my said court in the case of The Peoples Liberty Bank and Trust Co. vs. Eddie Thompson, Jr. et al, as the same is of record and on file in my said office..

Witness my hand as Clerk of said Court this 7th day of January, 1982.

ED F. SCHROEDER, CLERK
BY: /s/ E. SETTLE,, D.C.

EXHIBIT K

MONTHLY LEASE

Covington, Kenton County, Kentucky July 19, 1978

We have this day rented by the month from The Peoples Liberty Bank and Trust Company the house located at 736 Highland Avenue, Covington, Kentucky for which we agree to pay $200.00 per month, IN ADVANCE, on the fifth day of each and every month. Upon non-payment of Rent within THREE DAYS after it shall become due, the said The Peoples Liberty Bank and Trust Company shall have the right to re-enter and take possession of said premises without demand of rent or notice of possession.

We will not use said premises for any unlawful purpose or use said premises in violation of any laws relating to intoxicating liquors. Not responsible for accidents on premises.

/s/ BERNARD SMITH
Lessee

/s/ JAMES LILES
Lessee

The Peoples Liberty Bank and
Trust Company

/s/ R. V. HAILE, JR., PRESIDENT
Lessor